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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 003500

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SUBJECT: ALLEGATIONS OF SECRET PRISONS IN KURDISTAN

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D) KIRKUK 00143

Classified By: POLCOUNS MARGRET SCOBAY FOR REASONS 1.4 (b) and (d)

11. (C) Summary. In a September 10 conversation, Kurdish Alliance Council of Representative (CoR) member and Kirkuk resident Muhammed Redha Muhammed claimed to Emboffs that both the KDP and PUK Asayish (anti-terrorism security forces) maintain secret detention facilities where they seriously abuse detainees. KRG human right officials cannot inspect Asayish facilities. Muhammed further alleged that the Asayish often stray from Kurdistan into Kirkuk and surrounding areas to abduct suspects for interrogation purposes without an arrest warrant. Muhammed is a religious leader who says that several of his followers have experienced this treatment first hand. His allegations are consistent with several conversations we held in late August with KRG citizens and government leaders. End Summary.

Asayish 101

12. (C) According to KDP Ministry of Interior officials, the KDP (Erbil/Dohuk) Asayish officially reports to the KRG Prime Minister while the PUK Asayish reports to the PUK Ministry of Interior (though unofficially to KRG DPM and PUK member Omar Fattah). CoR member Redha claimed that of the two Asayish entities, he considers the PUK,s (Suleimania) Asayish to be more aggressive in its tactics. The KDP Asayish's intel gathering arm is referred to as the Parastin while that of the PUK is referred to as the Zanyari. The Asayish and their intel arms are feared by local residents.

13. (C) The Asayish's mandate is anti-terrorism, and as such pursues any suspect that it believes may be tied to such cause. Our contacts indicate that there is not a lot of transparency as to the work of the Asayish and their reasons for detaining suspects, and it is partially for this reason that they are feared. Among its targets, the Asayish has been known to pursue individuals participating in protests, particularly violent protests, as well as religious extremists or conservatives. The KRG's own Minster of Awquf and Religious Affairs (MARA) is geared towards monitoring sermons and other indicators for links to terrorism (ref D). This is in stark contrast from the work of central Iraq Awqufs which are focused on promoting religion and the construction of religious facilities.

ALLEGATIONS OF TORTURE IN ASAYISH SECRET PRISONS

14. (C) On September 10, CoR Religious Committee member

Muhammed Redha Muhammed (Kurdish Alliance) reported to Emboffs that the Asayish were engaging in torture activities in "secret" detention facilities. Although Muhammed refrained from detailing the torture/abuse, he did elaborate on one recent allegation. Mohammed alleged that a man from Suleimaniya was arrested by PUK Asayish and died two days later while in custody. The Asayish allegedly gave the body back to the family but threatened the family to prevent them from opening the coffin. Muhammed further alleged that the Asayish often stray from their legal jurisdiction of Kurdistan into Kirkuk surrounding areas to detain an individual without even an arrest warrant (Ref B and C).

¶5. (C) In an unrelated August 26 meeting with several residents of Suleimaniya, one Kurdish resident claimed that when his cousin was released from the Asayish detention facility (described as a small facility or house structure) in August, he was so badly injured that he continued to be bed-ridden and unable to talk about his experiences in the facility. Another Suleimaniya resident claimed that the Asayish arrested his family members without a warrant, and provided the family no information about their location or release date while they were in custody.

NO ONE SEES THESE DETENTION FACILITIES

¶6. (C) KRG Minister of Human Rights Yousif Mohammed Azziz confirmed the existence of Asayish secret detention facilities in a meeting August 29 (ref A). He indicated that while the KRG Human Rights Ministry had inspection powers to all other detention facilities in Kurdistan, Asayish facilities were strictly off-limits. In a separate meeting

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August 29, human rights NGO representative Khamim Rahim bemoaned the inability of her organization (Asuda) to visit Asayish detention facilities. Asuda runs a women's shelter and visits other detention facilities across Kurdistan to provide legal and other services to women in need. Rahim said she recently learned about the existence of these facilities through a friend working in the KDP Asayish. According to Rahim, the friend admitted that there were a total of seven female detainees held in KDP Asayish detention facilities, though Rahim was not allowed to learn the locations of these facilities, nor the condition of these detainees.

COMMENT

¶7. (C) Muhammed is a religious leader in Kirkuk and member of the Kurdistan Islamic Group (KIG) party, which is part of the Kurdish Alliance. He is also a graduate of the al-Imam Aladam College which is associated with the Holy Shrine in Baghdad's Qadamiya district. It is possible that Muhammed's followers are targeted because of KRG suspicions that his party is associated with Ansar al-Islam (a Kurdish Sunni extremist group known to employ terrorist tactics). The founder of KIG, Ali Bapir, was himself detained in 2003 by Coalition forces. Despite this checkered reputation, Muhammed's account of abusive "secret prisons" and extralegal detention by Asayish are supported by numerous other complaints we have received throughout the year from unrelated sources.

¶8. (C) Interestingly, Muhammed's complaints come at the same time as recent passage of KRG's new anti-terrorism legislation (Law # 3 of 2006), guaranteeing all terrorism suspects the right to a lawyer and the right not to be tortured into confession (Articles 13 and 14). It is unclear how these rights will be guaranteed without a watchdog organization to visit the undisclosed detention facilities. Post will continue to look into reports of abuses at Asayish

detention facilities.
SPECKHARD